

ASSEMBLY BILL

No. 2747

**Introduced by Committee on Judiciary (Assembly Members
Wieckowski (Chair), Alejo, Chau, Dickinson, Garcia, Muratsuchi,
and Stone)**

March 4, 2014

An act to amend Section 8214.15 of the Government Code, relating to notaries public.

LEGISLATIVE COUNSEL'S DIGEST

AB 2747, as introduced, Committee on Judiciary. Notaries public: civil penalties.

Existing law authorizes the Secretary of State to appoint and commission notaries public in such number as the secretary deems necessary for the public convenience. Existing law authorizes the secretary to refuse to appoint any person as notary public or to revoke or suspend the commission of any notary public upon specified grounds. Existing law also makes specified violations by a notary public punishable by a civil penalty not to exceed \$750 or \$1,500.

This bill would make a willful failure by a notary public to discharge fully and faithfully any of the duties or responsibilities of a notary public punishable by a civil fine not to exceed \$1,500.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8214.15 of the Government Code is
2 amended to read:

1 8214.15. (a) In addition to any commissioning or disciplinary
2 sanction, a violation of subdivision (f), (i), (l), (m), or (p) of Section
3 8214.1, *or a willful violation of subdivision (d) of Section 8214.1*,
4 is punishable by a civil penalty not to exceed one thousand five
5 hundred dollars (\$1,500).

6 (b) In addition to any commissioning or disciplinary sanction,
7 a violation of subdivision (h), (j), or (k) of Section 8214.1, or a
8 negligent violation of subdivision (d) of Section 8214.1 is
9 punishable by a civil penalty not to exceed seven hundred fifty
10 dollars (\$750).

11 (c) The civil penalty may be imposed by the Secretary of State
12 if a hearing is not requested pursuant to Section 8214.3. If a hearing
13 is requested, the hearing officer shall make the determination.

14 (d) Any civil penalties collected pursuant to this section shall
15 be transferred to the General Fund. It is the intent of the Legislature
16 that to the extent General Fund moneys are raised by penalties
17 collected pursuant to this section, that money shall be made
18 available to the Secretary of State's office to defray its costs of
19 investigating and pursuing commissioning and monetary remedies
20 for violations of the notary public law.